

FILED

MAR 28 2008

[Signature]
CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
____ DIVISION

Terrence D. Skinsen
Plaintiff,

CIV. 08-4043

vs.

COMPLAINT

State of South Dakota, et al.
Defendant.

I. PREVIOUS LAWSUITS

A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment?

Yes (X) No ()

B. If your answer to "A" is yes, describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline).

1. Parties to this previous lawsuit:

Plaintiffs Terrence D. Skinsen #40172

Defendants See Attachment (A)
Pages 10/11/12 3 (pages)

2. Court (if federal court, name the district; if state court, name the county)

United States District, SD South
Dakota, Southern Division, Minnehaha County.

3. Docket number(s) - CIV - 02-4023 RHB/CV 05-4075.

4. Name of Judge to whom case was assigned Richard H. Bokley.

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) Dismissed

6. Approximate date of filing lawsuit February 8, 2002.

7. Approximate date of disposition February 22, 2006.

II. PLACE OF PRESENT CONFINEMENT

Yorkton Minimum Unit, SDSPA. Is there a prisoner grievance procedure in this institution? Yes (☒) No ()B. Did you present the facts relating to your complaint in the prisoner grievance procedure? Yes () No (☒)

C. If your answer is yes,

1. What steps did you take? N/A2. What was the result? N/AD. If your answer is no, explain why not Civil Rights Division
Governed Only by Federal LawE. If there is no prison grievance procedure in the in the institution, did you complain to prison authorities? Yes () No (☒)

F. If you answer is yes,

1. What steps did you take? N/A2. What was the result? N/A

III. PARTIES

In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.

A. Name of Plaintiff TERENCE Dubois Skinson #40172
 Address Yorkton Minimum Unit 178 Mickelson Drive,
Yorkton South Dakota 57078

In item B below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use item C for the names, positions, and places of employment of any additional defendants.

B. Name of Defendant State of South Dakota who is employed as

N/A at N/A

C. Additional Defendants SEE Attachment A
Defendants (1) ONE KARY 11 ELEVEN
NAMES, ADDRESS AND OCCUPATIONS, PAGES ONE & TWO.

IV. STATE OF CLAIM

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheet(s) if necessary.

False Imprisonment, False Arrest
And Discrimination. SEE Attachment
(3) And Claims listed in page 1 one Kary
(5) Give
See Complete Attachment A/B

V. RELIEF

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I want this Court to deem conviction
under 01-508 held void & immediate
release from prison and any and all
defendants ordered to pay Actual & Punitive
Damages, Attorney Fee to the Applicant, each
in their individual & official capacities

I declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

Signed and executed this 21 day of March, 2008.

Kevin D. Stivers
 Signature of Plaintiff

(9/96)

Attachment (A)

Defendants:

- ① State of South Dakota,
- ② Larry Long Attorney General
1302 East Highway 14 Suite 1
Pierre, South Dakota 57501-8501,
- ③ Dave Nelson
State's Attorney of Minnehaha County
415 N. Dakota Avenue
Sioux Falls, South Dakota 57104,
- ④ South Dakota Police Department
Officer Detective Mc Clary
425 N. Dakota Avenue
Sioux Falls, South Dakota 57104,
- ⑤ Attorney Nicole Cooper of Minnehaha
County Public Defenders Office
413 North Main Avenue
Sioux Falls, South Dakota 57104

(Continuing)

(1 of 3 pages)

(Continuing)

Attachment (A)

- (6) Attorney James means of
Minnehaha County Advocates Office
415 North Main Avenue
Sioux Falls, South Dakota 57104,
- (7) Private Attorney Douglas Thesenote
300 N. Dakota Ave. Suite 603
Sioux Falls, S.D. 57104-6042,
- (8) Rhonda L. Lockwood Private Attorney
Courtney's Historical Building
400 North Main Avenue, Suite 202
Sioux Falls, S.D. 57104,
- (9) Attorney Manuel J. Garcia
413 North Main Avenue
Sioux Falls South Dakota (or
County Public Defenders Office), 57104,
~~57104~~
- (10) Matthew Theophilus of
Deputy State Prosecuting Attorney
415 North Dakota Ave
Sioux Falls, South Dakota, 57104,

(2 of 3 pages) (Continuing)

(Continuing)

Attachment (a)

(11) Dr. M. G. Gault
Occupational Profession Psychology
2316 S. Molt Ave
Sioux Falls, South Dakota 57103,

^{Private}
(12) Attorney Steven M. Raback
427 North Minnesota Avenue,
Suite 101
Sioux Falls, South Dakota 57104-2444

These are the Defendants of this
Action and the State of South
Dakota is the Plaintiff.

Sincerely
Thomas J. Lindor
3/21/2008

3 of 3 pages

Attachment (2)

Claims:

I. Illegal Search & Seizure

Petitioner claims Minnesota law enforcement officers arrested & held petitioner without probable cause on Capital Charges fabricated after arrest. Detective McChery forged a Search Warrant not issued by a Judge.

II. Fabricated Official Court Documents

Petitioner claims prosecuting attorney intentionally filed fabricated court documents such as Indictment, Grand Jury Proceedings, Arrest Warrant, Police reports, etc. as original charges in connection with initial arrest were terminated by Honorable Judge Sage on February 26, 2011, (2 QW) days after petitioner's arrest. All under the color of South Dakota State law. (Continuing)

1 of 5

Continuing

Attachment (B)

III. Due Process
Petitioner claims the denial of
due process by the following act
but not limited too ...

(A) The failure to hold a
preliminary hearing on any and
all charges as stated by indictment,

(B) Petitioner was tried & convicted
in violation of Court Order psychiatric
examination to determine competency as
stated by motion & affidavit,

(C) Petitioner was denied the
subpoena & appearance requested of
only & key eyewitness to defense
at trial,

(D) Petitioner was abandoned at
critical stage of trial proceedings by
Court Appoint Counsel(s) Nicole Harper,
Carmen Means, Douglas Weissman, Phyllis
Lockwood, Manuel S. DeWitt,
(Continuing)

(Continuing)

Attachment (B)

(E) Petitioner was appointed & forced to keep Court appointed Counsel Attorney Douglas Herscovitz & Former State Prosecutor whom had previously prosecuted Petitioner, and completely denied Petitioner Court Costs & paying there of,

(F) All Court appointed Attorneys for Petitioner have regularly represented Petitioner proceeding by failing to merit issue request by Petitioner,

(G) Petitioner was denied ^{effective} Counsel on direct appeals both Alaska Superior and initial appeals from verdicts including primary stages of trial

(H) Petitioner was denied proper discovery even upon order of Court & received falsified document thereafter,

(I) Petitioner claims conviction obtain in violation of Self Incrimination

(Continuing)

(3025)

Continuing

Attachment (B)

(D) Petitioner Claims Intellectual Assistance of Counsel or All Attorneys whom Failed to Disclose Perjury Alleged Testimony by Victim or Aggravated Assault by Failing to Subpoena Doctor whom Examined Injury,

III. Cruel & Unusual Punishment

Petitioner Claims Being held in the Minnehaha County Jail in Sioux Falls, South Dakota from February 24, 2001 until December 2, 2002 Some 22 months was in violation of State & Federal Constitution law,

IV. Discrimination

Petitioner Claims because he is Black he was continuously denied fair litigation by Government officials & appointed Counsel before, during & after Jury Trial, in South Dakota

(Continuing)

(4 of 5)

Continuing

Attachment (B)

VI. False Imprisonment

Petitioner claims he is innocent of all charges and held unlawfully thru perjury of victim & falsified Court document along with other Criminal matters committed by Government officials & Counsel in collusion.

VII. Duress

Petitioner claims he has been forced to represent himself, suffering mentally the loss of family, physically the loss of money, and emotionally the loss of time in threat of family custody.

All violation of Civil Constitutional rights. These are the claims of this Petitioner and the State of South Dakota the State.

Sincerely
Thomas D. Hanson
3/21/2009

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